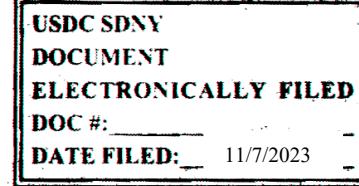


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Kerry Kotler,

17-cv-239 (CS) (VR)

Plaintiff,

**ORDER**

-against-

C. Boley, et al.,

Defendants.

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**VICTORIA REZNIK, United States Magistrate Judge:**

By letter, dated October 16, 2023, Plaintiff, pro se, moves to reopen discovery for the limited purpose of: (1) “securing a subpoena that directs the Dutchess County District Attorney, as a non-party to the action, to produce the records said office generated and maintains regarding the incident subject of this litigation;” and (2) “direct[ing] defense counsel to disclose from where the claim that the search was due to the receipt of an ‘anonymous letter,’ as counsel represented on March 16, 2023” (at a prior Status Conference) or, in the alternative, to allow Plaintiff to “serve a request for [an] interrogator[y] upon the defendants to acquire such information.” (ECF No. 131). Defendants oppose Plaintiff’s motion. (ECF No. 134).

On November 6, 2023, the Court held a telephonic Status Conference and heard oral argument on Plaintiff’s motion. For the reasons explained during the Status Conference, the Court **GRANTED** Plaintiff’s motion to reopen discovery. Discovery has been reopened for the limited purpose of (1) serving a non-party subpoena on the Dutchess County District Attorney; and (2) serving a request for an interrogatory on Defendants, as discussed on the record. The Court will direct the U.S. Marshals to serve the subpoena, to be returnable in 30 days. By no

later than December 21, 2023, the parties must submit a joint letter to the Court with an update on the status of the subpoena and the interrogatory.

**SO ORDERED.**

DATED: White Plains, New York  
November 7, 2023

  
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VICTORIA REZNIK  
United States Magistrate Judge